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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/712,863 |
| | Filing Date | November 13, 2003 |
| | First Named Inventor | Eric John Klammer |
| | Art Unit | 3683 |
| | Examiner Name | Bradley T. King |
| Total Number of Pages in This Submission | Attorney Docket Number | HLC-109-B |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): return-receipt postcard |
| Remarks Enclosed is a response to restriction requirement and return-receipt postcard | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|----------------------|----------|-------|
| Firm Name | YOUNG & BASILE, P.C. | | |
| Signature | | | |
| Printed name | Thomas N. Young | | |
| Date | January 5, 2005 | Reg. No. | 20985 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|-----------------|------|-----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | | |
| Signature | | | |
| Typed or printed name | Sarah E. Martin | Date | January 5, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1 PW

Our Reference: HLC-109-B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric John Klammer
Serial Number: 10/712,863
Filing Date: November 13, 2003
Examiner/Art Group Unit: Bradley T. King/3683
Title: CAM-DRIVEN ELECTRIC PARKING BRAKE
ACTUATOR

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the Office Action dated December 15, 2004, setting forth a restriction requirement, Applicant elects with traverse the invention of Group I consisting of claims 1-20.

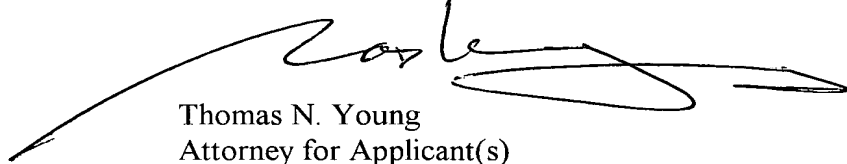
The Examiner states that the inventions are distinct and that the process of claim 21 can be practiced with another materially different product. However, careful examination of claims 1 and 21, shows that they track one another very closely; i.e. both call for a motor, a variable radius cam, and a cam follower which is operably connected to a parking brake. Examining claim 1 to evaluate patentability will produce information from which the patentability of claim 21 can also be evaluated. M.P.E.P. § 803 says that claims should be examined together if this can be done "without serious burden" even if the inventions are distinct. That appears to be the case here.

If any fees are required, they can be taken from deposit account no. 25-0115.

An action on the merits is awaited.

Respectfully submitted,

YOUNG & BASILE, P.C.

A handwritten signature in black ink, appearing to read 'Thomas N. Young', is written over the printed name and title.

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Dated: January 5, 2005
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